

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

BERNADETTE BORRERO-RODRIGUEZ
HEIDY M. CASTILLO-BORRERO
HIRAM CEDEÑO-CARABALLO
FATIMA FARHAN RODRIGUEZ
LESLIE FLORES-RODRIGUEZ
JUANITA GOTAY-IRIZARRY
LUIS M. HERNANDEZ-TIRU
ANETTE IRIZARRY-FRATICELLI
NORBERTO LAJARA-RAMOS
JULIO MEDINA-VEGA
JOSE E. OLIVERA-GONZALEZ
MIRIAM ORTIZ-CAMACHO
MILAGROS PADRO-VEGA
MARITZA RAMOS-SEPULVEDA
JULIO CESAR RAMOS-TORRES
MARIA M. RODRIGUEZ-GARCIA
JORGE ROSA-ORTIZ
JIMMY ROSAS-RIOS
NEFTALI SEPULVEDA-ORENGO
IRMA TALAVERA-RIVERA
YANIRA TORRES-TORRES

Plaintiffs

vs

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RAFAEL A. MONTALVO-VAZQUEZ,
individually and as Executive Director of the
CONSORCIO DEL SUROESTE
EDGARDO ARLEQUIN, individually and as
Mayor of the Municipality of GUAYANILLA;
MUNICIPALITY OF GUAYANILLA
MARTIN VARGAS-MORALES, individually
and as Mayor of the Municipality of Guánica;
MUNICIPALITY OF GUANICA
FRANCISCO JAVIER RIVERA-TORO,
individually and as Mayor of the Municipality
of Hormigueros, and as President of the Board
of Director of the CONSORCIO DEL
SUROESTE, ISIDRO NEGRON, individually
and as Mayor of the Municipality of SAN
GERMAN; MUNICIPALITY OF SAN
GERMAN; MIGUEL G. ORTIZ-VELEZ,
individually and as Mayor of the Municipality
of SABANA GRANDE; MUNICIPALITY OF
SABANA GRANDE; MARCOS IRIZARRY,
individually and as Mayor of the Municipality
of LAJAS; MUNICIPALITY OF LAJAS;
WALTER RODRIGUEZ, individually and as
Mayor of the Municipality of Peñuelas,
MUNICIPALITY OF PENUELAS; SANTOS
PADILLA-FERRER, individually and as

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Mayor of the Municipality of Cabo Rojo;
MUNICIPALITY OF CABO ROJO; ABEL
NAZARIO-QUINONES, individually and as
Mayor of the Municipality of Yauco;
MUNICIPALITY OF YAUCO; GILBERTO
PEREZ-VALENTIN, individually and as Mayor
of Maricao; MUNICIPALITY OF MARICAO;
CONSORCIO DEL SUROESTE;
X, Y and Z unknown defendants

Defendants

O R D E R

Plaintiffs Heidy M. Castillo-Borrero, Hiram Cedeño-Caraballo, Juanita Gotay-Irizarry, Luis M. Hernández-Tiru, Julio Medina-Vega, Miriam Ortiz-Camacho, Milagros Padró-Vega, Maritza Ramos-Sepúlveda, Julio César Ramos-Torres, Jimmy Rosas-Ríos and Irma Talavera-Rivera have filed a motion informing of the Municipality of Maricao's non-compliance with the payment terms of the Judgment entered by this Court on June 27, 2005 (**docket entry 236**), which incorporated a settlement agreement reached by the parties. The Court notes that said Judgment is final and unappealable and that the period of time agreed for the disbursement of the money to the plaintiffs has long expired. Plaintiffs further request the entry of an order of the execution of the Judgment against the Municipality of Maricao. It appears from the records of this Court and from plaintiffs' motion that the Municipality of Maricao has indeed failed to pay the sums of money agreed and adjudged to be paid under the settlement agreement, which was fully incorporated in said Judgment.

Given the aforesaid, and pursuant to Rule 69 fo the Federal Rules of Civil Procedure, the Clerk of Court will issue a Writ of Execution directing the United States Marshal for this District to proceed forthwith and seize any and all monies, funds and/or property of defendant Municipality of Maricao, up to the amount of \$25,300.00 plus interest at the legal rate from June 27, 2005 until full payment is received. The money to be seized shall include, but is not limited to, any and all monies deposited in any financial institution located in the

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Commonwealth of Puerto Rico, including but not limited to, Banco Popular de Puerto Rico, First Bank, Westernbank, Oriental Bank & Trust, Doral Financial Corporation, HF Mortgage Bankers, Eurobank, Banco Santander, Banco Bilbao Vizcaya Argentaria (BBVA), and the Government Development Bank of the Commonwealth of Puerto Rico. It shall also include any monies retained, held or otherwise deposited with the Department of Treasury of the Commonwealth of Puerto Rico, the Municipal Collections Center (CRIM) and any other financial institution holding deposits. The funds to be seized shall be funds retained, held or otherwise deposited in accounts in the name of, or on behalf of the Municipality of Maricao.

The United States Marshal for this District will not accept in payment anything but United States currency or certified check payable to the order of the Clerk of Court of the United States District Court for the District of Puerto Rico which funds shall be deposited in an interest-bearing account of this Court for disbursement to appearing plaintiffs.

The Mayor of Maricao, Honorable Gilberto Pérez-Valentín, is also ORDERED TO SHOW CAUSE by March 7, 2007 why he should not be held in contempt for failing to comply with the Orders of this Court.

SO ORDERED.

At San Juan, Puerto Rico, on April 17, 2007.

S/CARMEN CONSUELO CEREZO
United States District Judge